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A D D R E S S

OF

HIS EXCELLENCY

ALEXANDER H. BULLOCK,

TO THE

TWO BRANCHES

OF THE

Legislature of Massachusetts,

JANUARY 3, 1868.

BOSTON:

WRIGHT & POTTER, STATE PRINTERS,

NO. 4 SPRING LANE.

1868.

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SENATE.....

.....No. 1.

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ADDRESS.

*Gentlemen of the Senate, and of
the House of Representatives:*

It may well awaken our patriotic pride that we convene, at the beginning of a new year, public servants of a Commonwealth which is distinguished by independence, intelligence and contentment. Here also harmony, confidence and faith in the future prevail. No questions of the relations of the State with the National Union; no doubts as to what we have done, or as to what we ought to do on the broad field of humanity and patriotism; no fears of our public credit, which is subjected to little inquiry abroad because it is well sustained at home; no general or particular apprehension as to our condition, or prospects, or duties, can disturb the reflections appropriate to this day and this occasion.

These facts ought, also, to quicken our sense of responsibility. Whatever we of this genera-

tion, as a part in the federal fraternity, have accomplished, and whatever as a local community we have attained, we owe largely to the virtues of our ancestors; to their example of piety and morals; to their devotion to the welfare of the whole country; to their support of education and philanthropy; to their consistent practice of liberality and economy in all the affairs of state. We cannot afford to obscure, or forget, or neglect the lessons of our past. They are to us a sacred treasury of resources. The thought of these examples, the imitation of them, varying only to accord with changing time and circumstance, may wisely be a chief influence in our own policy and action.

FREE EDUCATION.

We best give effect to one of the highest of their examples, and we continue a policy which stood first and last with them, by granting a broad and ample support to the interests of popular education. The wisdom and the necessity of this, as an assurance of our civil and political strength among the States, were never more obvious than now. The well ordered finances and the concentrated and intense system of productive labor of the Commonwealth have done much to gain for it a renown in

all parts of the world; and these are dependent upon that mental training which has given to our industry its keenness, its energy and its transmitted life. But, beyond the tangible relations of the material arts, the conditions of our success and reputation at home and abroad depend in chief upon the manifestations of cultivated mind in every sphere of thought and action. This State, now a small spot among the divisions of the map, must rely mainly for a conspicuous part in the influences and forces of a great nation, upon its educated manhood; educated for statesmanship, and government, and science, and industry. There are no boundaries to circumscribe a Commonwealth in which such culture exists in full development. This conquers prejudices, makes all sections one, and imparts to local history universality.

In calling your attention to our public condition, I rejoice, therefore, that it becomes my duty to state that never before, in periods of peace or of war, have the returns of the department of education been so encouraging as at this time. You will bear in mind that the last year has been one of thoughtfulness and apprehension in relation to finance; and yet, while the premonitions of financial embarrassments have usually been caught quickly by our

towns, at no time before have they exhibited a perception of public difficulty so well matched by an equal readiness for public duty and sacrifice. In no former period have the people of Massachusetts proved themselves so largely just, and considerate, and generous in promoting the cause of education. I do not think that the returns of any previous year have illustrated such genuine progress. They indicate that the old system is at length reinvigorated by new ideas; and that the State is moving onward and upward, following the ancient example, but reinforcing it with the power of later and better methods.

It appears from the returns of the last year to the Secretary of the Board of Education that two hundred and thirty-six thousand pupils have been in attendance in the public schools during an average time of eight months. Of this whole number less than twenty-six thousand were below five or over fifteen years of age. The number of teachers employed during the year has been nearly eight thousand; and the proportion of female teachers, now little short of seven-eighths of the whole, has been constantly increasing. This is a striking fact; not unsatisfactory when we consider that nearly the entire number of pupils in the free

schools are between the ages of five and fifteen. We have now reached that stage in our public education when it is settled that instruction from female teachers is hereafter to prevail; and therefore it is that, having on two former occasions invited attention to the subject, I desire again to urge upon the people through their representatives, the absolute importance, as well as the simple justice, of a more liberal measure of compensation for the services of these teachers. The past year has witnessed an increase in this particular of about eight per cent. But the rates paid to female teachers in the whole State do not yet exceed one dollar per day, and fall far below those which the same people who support public schools and believe in them pay to uneducated laborers upon their farms and gardens. We may hail with satisfaction the ratio of increase in this respect which has occurred in the last three years, but not so much for what has yet been attained as for what we are encouraged to expect in the years to come. I am warranted, therefore, in once more urging the transcendent necessity of making larger compensation to the teachers of schools, because it is just, and because it will elevate not them alone, but also the schools and the whole people.

The amount raised by taxation during the year for the support of free education was \$2,355,505.96, an increase from the previous year of \$362,328.57. This is far in advance of any annual increase heretofore realized, and it has been accomplished at a time when the public burdens have begun to be sensibly felt by the citizens. I know not any better way in which to express the measure of sacrifice which the convictions of duty have brought this people to make, than the bare statement that the sum raised by taxes during the last year for free education averaged nine dollars for each child in the State. If to these we add the returned expenses of private schools, the whole amount becomes \$3,160,665.94; which is equal to more than twelve dollars expended upon every boy and girl between five and fifteen years of age.

Accompanying all this increasing liberality in the support of public schools, there has been exhibited by teachers, and by a large class of citizens who have become interested in this subject, a growing and expanding spirit of inquiry. Methods of instruction, and all the generalities and particulars of the entire system, are subjected to open scrutiny and discussion. In all the callings of life the best modern thinkers are expending

their most ingenious and laborious thoughts upon this field of investigation. In the wide range of topics which these inquiries have raised, by no means inconsiderable or unimportant has been that of the discipline and government of the public pupils; I call them public pupils because they are all such; though not taken from home or parentage, yet the wards of the State, under its beneficent and parental care.

One of the questions greatly discussed by the people, and in a large portion of the reports of the committees, has been that of the utility and wisdom of the practice of corporal punishment. Considering that about seven-eighths of all the public instructors are young women, it becomes important to them, and to more than two hundred and thirty-six thousand children in their charge, that the least possible measure of this mode of discipline should be practised. In my semi-annual visits to the four Normal schools, where I have had occasion to counsel three hundred young women going forth to the responsibilities of public teachers, I have not refrained from a free expression of the opinion, which I cherish as a conviction, that a Christian civilization, a just and large humanity, and a progressive policy of education, call for

the very general disuse of corporal punishment in the schools of Massachusetts.

FINANCIAL CONDITION AND PROSPECTS.

The financial interests of the State will necessarily command the earnest attention of the Legislature. Never has there been more pressing need of carefulness and deliberation in the application and disposal of public resources, and in the preservation of the State and National credit. The present condition of our own finances will render the demand for wise legislation more than ever imperative.

With the resources at our command, there need be no obstacle nor even embarrassment in the way of prompt and efficient measures to secure the highest welfare of the people, without imposing heavy pecuniary burdens. Having this purpose in view, after thorough inquiry into the whole subject, I am enabled to submit for the consideration of the Legislature the three following propositions:—

First, The funding of all present temporary and floating liabilities;

Second, Such provision as shall not fail to make sure the redemption at maturity of such additional

funded debt, together with all present outstanding funded liabilities for the payment of which no provision has heretofore been made;

Third, The establishment of sinking funds to be derived out of resources already at our disposal, and in such amount as, with their accumulations, will secure that result without a resort to taxation.

That these propositions are practicable and can be made available for the accomplishment of the purposes which I have mentioned, will clearly appear from the statement of the present condition of the public debt and resources of the Commonwealth, which I have the honor to submit for the information and action of the Legislature.

*The Funded Debt and Provisions for its
Redemption.*

Of that portion of the funded debt of the Commonwealth, including loans to the Western, Norwich and Worcester, and Eastern Railroad Corporations, and amounting, on the first of January

current, to \$22,943,760 00

the payment of \$21,605,760 00

is amply secured by sinking funds, bonds, mort-

gages and collaterals, the accumulations of the former being in some instances much more than sufficient for the redemption at maturity of the scrip for which they were established and pledged.

The scrip loaned to the Troy and Greenfield Railroad Corporation, amounting to \$1,720,680, is not included in the foregoing statement of funded debt. The redemption of this scrip was originally provided for in the establishment of the Troy and Greenfield Railroad Loan Sinking Fund, and its securities, now amounting to \$93,454.48, still remain in the custody of the Treasurer and Receiver-General. The payment of this loan, however, is guaranteed beyond a peradventure in the pledged faith of the Commonwealth, in which is now vested absolute title to the road and its appurtenances. But in accordance with the long established and sound financial policy of Massachusetts, I have no hesitancy in recommending the resuscitation of this sinking fund, to be increased and supplied from such resources as the Legislature may designate, and in such amount as shall insure means for the redemption of past and future issues of scrip for the payment of expenses involved in the completion of the road and tunnel.

That portion of the funded debt for which no special provision has been made, is now . . . \$1,338,000 00

One of the principal items included in this sum is the Coast Defence Loan, for the redemption of which special provision should be made, amounting to . . . \$888,000 00

The Coast Defence Loan was authorized by chapter 118 of the Acts of 1863, and of the proceeds derived therefrom there remains in the treasury, unappropriated, the sum of \$359,062.28. The whole amount expended in the purchase of ordnance, repair and equipment of coast defences, and for the protection of harbors, &c., is thus far \$432,187.72; and of the appropriation of \$100,000 made by the Legislature of 1867 for the protection and preservation of Cape Cod Harbor, at Provincetown, the sum of \$97,000 still remains subject to the requisition of the Commissioners as the work progresses. The amount, therefore, either actually expended or allowed for coast defences and protection of harbors is now \$528,937.72, leaving the unappropriated balance as before stated.

During the year 1866, a portion of the ordnance purchased with this loan was sold, and the pro-

ceeds, amounting to \$165,836.58, were paid into the State treasury. In the absence of any provision establishing a sinking fund for the redemption of the Coast Defence scrip, this money was placed to the credit of the ordinary revenue. As a measure tending directly and effectually to strengthen and advance the high credit already attained by Massachusetts at home and abroad, I earnestly recommend that this sum be set apart as the nucleus of a sinking fund pledged for the redemption of this scrip which matures in 1883. To the fund thus created, enough should be added, either from the unappropriated balance remaining in the treasury to the credit of the Coast Defence Loan, or from the proceeds of re-imbursement soon expected from the United States government for coast defence expenditure, to make an amount, which, with its legitimate accumulations, will be sufficient for the desired purpose. If from the three sources above indicated,—the first two of which exhibit nearly \$525,000 in hand,—a Coast Defence Loan Sinking Fund of \$366,000 were now established, the amount at six per cent. interest will redeem the entire loan at maturity, and that without a single dollar of taxation; while of the original

assets, a large sum will yet remain applicable to such uses as the Legislature shall see fit to elect.

The Union Loan Sinking Fund, including the increased market value of its securities, is now nearly sufficient for the payment of the Union Fund Loan of \$3,600,000, which matures in various instalments from 1871 to 1878. This fund, as I am confidently assured from official sources, will very soon receive an accession of more than eight hundred thousand dollars from the general government, in further re-imbusement of expenses incurred by Massachusetts on account of the war, upwards of six hundred thousand dollars of which is expected to be allowed in the course of the coming month. With this accession, the fund will be more than half a million of dollars in excess of the sum required for the payment of the Union Fund Loan. But under the provisions of the Acts establishing this fund, its accumulations, however needless, must continue, unless the Legislature shall direct their transfer to some other sinking fund where they may well be applied to the redemption of the public debt.

It is thus apparent that the surplusage from these sources alone, viz.: the Union Loan Sinking Fund and the balance of the proceeds of the Coast

Defence Loan remaining after the creation of a Coast Defence Loan Sinking Fund, as before suggested, together with the amount to be re-imbursed by the United States, cannot in all probability be less than *one million of dollars*, an amount which, if merged into a new sinking fund, would, with its certain accumulations, be quite sufficient for the payment, at an early day, of all the present funded and unfunded liabilities of the Commonwealth for which no provision has yet been made. I think no considerate legislator can fail to be impressed with the fact, that if a sinking fund, embracing such means, and pledged for such a purpose, were to be created, the financial interests of the State and of its people would be very materially and successfully promoted.

The Unfunded Debt,

Represented by temporary loans
and floating liabilities, amounted
on the first of the present month
to about, \$1,908,120 00

This indebtedness has accrued mainly from large and necessary advances in excess of the issue of scrip to meet expenses incurred, during the last four years, in the prosecution of the work on the

Troy and Greenfield Railroad and Hoosac Tunnel; from the re-imbusement of aid furnished by cities and towns to Massachusetts volunteers and their families, for which, in 1864 and 1865, inadequate provision was made in the assessment of the annual State taxes; from large and liberal expenditures authorized by acts of special legislation in excess of previous and well considered estimates, this excess amounting in the year 1867 alone to more than \$844,454 00

from the largely increased interest

on the public debt, and from the

heavy premium on gold, the

former amounting, in 1867, to 1,264,592 48

and the latter to 275,933 93

showing an aggregate of more than *two million three hundred and eighty-four thousand nine hundred and eighty dollars.*

As an additional explanation of the

sources from which the present

unfunded liabilities have arisen,

it may be stated that the interest

accruing upon the various loans

of the Commonwealth has in-

creased from \$112,773 43

in 1861, to 1,264,592 48

in 1867 ; while, during the same	
period, there has been paid from	
the treasury as premium on gold,	
upwards of	\$1,566,480 70
the two items of interest and pre-	
mium amounting to	6,096,977 30

Of this sum there has been paid as interest on temporary loans, rendered imperatively necessary by the pressing exigencies of war and special legislation, not less than \$935,793.48, which, with the premium on gold, making an aggregate of \$2,494,029.74, could not have been anticipated with any degree of accuracy. Consequently, this heavy and extraordinary outlay has been but partially provided for in the basis of taxation.

It should also be remembered that the exceptional or extraordinary expenditures authorized by acts of special legislation, in excess of previous estimates, amounted, in the years 1865, 1866 and 1867, to \$1,290,134. These sums include, of course, the additional cost of the legislative sessions, the compensation and expenses for which, in 1867 alone, were upwards of \$284,800; also the increase required for the maintenance of other departments and in aid of numerous objects,

including among the latter, the amounts authorized for remodelling the State House and for other public buildings, and for improvements in Boston Harbor. The last two alone involve an expenditure of nearly *half a million* dollars ; while the maximum estimate for special allowances provided for in the State tax, was less than \$100,000 (the estimate for the Troy and Greenfield Railroad and Hoosac Tunnel being entirely excluded from this statement).

Upon careful and critical investigation of the whole subject, I suggest two methods for the retirement or payment of the existing unfunded loans and liabilities, affording, at the same time, effectual and much needed relief from the present burden of taxation.

One of these is the issue of a loan similar to that of 1861, for funding the public debt, the liquidation of such loan to be provided for in the sinking fund already proposed from the surplus accumulations of the funds heretofore named. These surplus amounts will readily furnish sufficient means for a sinking fund, which, with reasonable income from investment, will secure the redemption of at least three millions of scrip within the ordinary limit of maturity.

The other method of relief is the issue of the balance of scrip, amounting to \$479,320, authorized by the provisions of chapter 226 of the Acts of 1854, and by subsequent Acts, for the construction and completion of the Troy and Greenfield Railroad and Hoosac Tunnel. Should this course be adopted, I recommend an addition to the amount by such further issue of scrip on the same account, in accordance with the provisions of chapter 304 of the Acts of 1867, as may be necessary to absorb that portion of the unfunded debt, now amounting to \$2,300,000, which has accrued from advances in excess of former issues of scrip in aid of this enterprise ; such further issue to include also whatever appropriation the Legislature shall see fit to make in this behalf for the present year.

The liquidation at maturity of a loan of this character may be easily provided for in the Troy and Greenfield Railroad Loan Sinking Fund already recommended. With the requisite legislation authorizing the Treasurer and Receiver-General to issue such scrip under the direction of the Governor and Council, the Ordinary Revenue of the Commonwealth, from which such large advances have been made for this work, may be re-imbursed, and the amount, thus restored to its original and

legitimate use may be applied to the payment of ordinary expenses, obviating thereby necessity for heavy taxation.

Of the practicability of either of these methods of relief, there would seem to be no question. The adoption of one or the other must be effectual in the restoration of two or three millions of dollars, which the necessities of the last four years have diverted from the ordinary uses of the government ; while, with the aid most certain to accrue from such restoration to the treasury, together with the usual ordinary resources of the Commonwealth, swelling up an aggregate of more than three millions of dollars, it can hardly be possible that the expenditures of the current year will require a State tax exceeding two millions of dollars.

I have all the more confidence in the realization of this result, in the assurance that a loan authorized upon the basis proposed will command approval and favorable negotiation; nor will it increase the funded debt of the Commonwealth, since, during the present year, a large portion of the Western Railroad Loan will mature and be paid, as will also instalments of the Northampton Lunatic Hospital Loan and of the Five and Six Per Cent. Loans of 1861, for all of which pro-

vision is made, the cash on hand in the treasury being applicable to the payment of the last two. With the proceeds of the loan recommended, estimated at only two millions, together with the ordinary revenue of the year, say one million two hundred thousand dollars, and a State tax of two millions, with such portion of the cash on hand as may be made applicable to the payment of current expenses, the whole amounting to upwards of five millions of dollars, it will be seen that the treasury will be fully supplied with means with which to meet all estimated ordinary expenditure.

THE STATE CHARITIES.

In company with the Executive Council I have visited the several institutions of public charity as often as official business would permit, and I take pleasure in commending their appearance and general management. The unceasing injunctions to economy and retrenchment, proceeding from the Executive department, and from their own immediate supervisors, have been scrupulously regarded; and till prices regain their former level but little more can be expected, or in justice to the inmates should be required, in the reduction of expenditure, except through unceasing vigilance

in removing at once those who are not justly chargeable to the Commonwealth. And this policy is insisted upon, not from motives of economy alone, though it is the safety-valve of our whole system, but on the broad ground of that comprehensive humanity which recognizes the assurance of an acknowledged and permanent home, in case of disability, as the truest interest and safest protection of the poor. Few of our people know and still fewer appreciate the force of the fact that the number of lunatics and paupers we annually remove from the State is equal to the average number we support, and that any omission or relaxation of effort in this direction would not only nearly double our outlay for current expenses, but would cause a demand at once for new buildings and their costly equipment. For the year 1867, the average number of State paupers in the almshouses, including the inmates of the State Workhouse and Primary School, has been 1,717, maintained at a cost of about \$165,000; and of lunatics supported by the State in the hospitals, a little over 500, costing \$95,000 more; yet during the same period 2,149 have been removed from the Commonwealth at a cost of less than \$10,000. The whole number of these classes

removed since 1857 is about 20,000, and the direct consequences have been that no more public institutions have been established, but that one of those then existing has been closed; that the average number of paupers supported in the State Almshouses has been reduced from 2,294 in 1856, to 1,717 in 1867, a decrease of 577, or 25 per cent.; and their cost from \$173,000 in gold in 1856, to \$165,000 in currency in 1867; that the number of State lunatics, notwithstanding the large access chargeable to the rebellion, has not materially increased, and will soon fall below the number of twelve years ago; and that the entire net cost of our State paupers proper, that is, those supported in the State Almshouses and Lunatic Hospitals, and relieved or buried by the cities and towns, does not exceed \$280,000 for the present year. That system surely must have some efficiency which has met the results of twelve years' growth in population, encountered the obstacles arising from civil war and the derangement of the currency, and brought us through all so successfully that its actual cost in gold for the year just expired is less by many thousands than in 1855.

The classification of the inmates of the State Almshouses, designated by law and put in force in

the Autumn of 1866, continues to work well in practice. In these Institutions we have now four classes of persons: 1st, the chronic insane and the imbecile, numbering about 275 ; 2d, those entering the Almshouses from poverty induced by their own vicious indulgences, and sentenced to the State Workhouse, now averaging about 225 ; 3d, the children at the Primary School, numbering upwards of 400 ; and 4th, the paupers proper, of whom we have supported an average of between 700 and 800. This classification is not yet completed, but it is surely if slowly progressing, and we shall soon have virtually in place of the four pauper establishments, one State Almshouse, one Asylum for the Insane, one penal and one educational institution, containing together fewer inmates, and maintained at considerably less expense than under the former plan. That no inconvenience may befall the towns in the Southern and Western sections of the State, temporary accommodations are provided at Bridgewater and Monson, for the few paupers they may have occasion to send thither. The object of this classification, is to separate the virtuous poor and especially the children from contact with the vicious, to give the children proper instruction, and to place them as soon as possible in suitable families,

to the end that in social relations and the public school they may forget their pauperism. And the design of our whole system of charities, as administered by its supervising Board, I conceive to be the retaining of every person, as far as may be, in his natural condition in society ; if he loses it, his restoration thereto at the earliest moment ; if by infirmity of body or mind he cannot regain it, his support by local means in that manner which shall most nearly approach it in the vicinity of his friends, and among familiar associations. Failing all this, the maintenance of a comfortable Alms-house for the honest poor,—whence strangers shall be sent promptly to their homes in other communities—and of a house of toil for the vicious, who shall there be taught that they cannot prey with impunity on the earnings of honorable labor. These principles seem sound in theory, practicable in execution, conducive to the greatest happiness of our dependent classes, and likely to promote a judicious economy.

The closing of the Hospital at Rainsford Island, which was finally accomplished one year ago, has resulted most advantageously to the State. There has been no increase of admissions to the other institutions by reason thereof, and its disuse has

occasioned no embarrassment whatsoever. The really sick, who would ordinarily have been sent thither, have been provided for by the authorities of Boston, and the cost of this provision, with the entire outlay for the salary of the Superintendent, and necessary repairs, falls short of \$8,000; while, previous to the adoption of this policy, the expenditures at the island averaged some \$30,000 a year.

The Lunatic Hospitals have been managed with their usual efficiency, and present no noticeable feature, unless it be the extraordinary increase of the admissions from the general population, which have risen from 508 in 1865 to 662 in 1867. Their cost to the Commonwealth varies with the number of State Lunatic paupers, and with the rate of board, which is fixed yearly by the Legislature. At the present time the number of State Lunatics is 510, the price of board \$3.50 per week, and the annual cost about \$93,000. The necessity for an additional Hospital, which seemed at one time inevitable, has been averted by removals from the State and by the establishment of the Asylum at Tewksbury, whither the surplus of the harmless incurables is transferred, and where they are kindly cared for.

All these institutions have been carefully supervised by the Board of State Charities, whose officers have examined and removed their inmates, looked after the immigration into the Commonwealth, executed the laws of settlement, and performed the other manifold duties assigned by statute to this Board. They have met all their expenses for the year from their receipts, and have paid into the treasury a surplus of over \$5,000.

Institutions of Private Charities.

For the condition and progress of the several Institutions of Charity aided by the State, to an amount exceeding in the aggregate \$80,000, which might perhaps be judiciously lessened, I must refer you, with a single exception, to their Annual Reports.

CORRECTIONS AND REFORMS.

The State Prison.

I am happy to state that the sudden increase of crime co-incident with the close of the civil war has at last culminated, and that a sure but steady decrease has begun. The number of commitments to the State Prison the past year was 128, being less than the average of 38 years, whereas in 1866 it was 247. The expiration of contracts for

labor, and their renewal at prices comparatively remunerative, have wrought an entire change in the finances of the prison, which during the past year has earned about \$21,000 over all expenses. The kindly interest of the excellent warden, manifested in so many efforts for the encouragement of the prisoners to walk in the better way, and for their intellectual and moral culture, has not passed unnoticed. It is due to him to say that he enjoys, as he merits, my entire confidence.

Institutions of Reform.

The institutions of juvenile reform are the Massachusetts Nautical School, the State Reform School for boys at Westborough, and the State Industrial School for girls at Lancaster. The average number in these reformatories was 687 in 1866 and 752 in 1867. Their expenses for the past year are more than \$140,000, an excess of at least \$20,000 over the outlay of the previous year. This increase of juvenile offenders, not only in our institutions where it is limited by the insufficient accommodations, but throughout the community, as well as this fast growing expenditure, is calculated to excite our serious alarm. Already the inmates of these schools approximate in number to

the aggregate of our State paupers proper, and exhibit an average cost for each pupil nearly twice as large. It may well be considered whether there is not something radically unsound in our modes of dealing with a question so vital to every community as the preservation of the morals of its youth; and whether a portion of the large and annually growing sum demanded for the cure of a disease already progressed so far, might not be expended more profitably in efforts for its prevention. It is also worthy of inquiry whether the inmates of these establishments perform an amount of labor proportionate to their age and productive capacities. Though of slight consequence to the State in the way of reimbursement, this is of infinite importance to themselves for the preservation of health and for acquiring power of application and the habit of daily toil. I am impressed with the conviction that we should advance no further in providing for this class of offenders at the expense of the State, either by creating a new establishment, or enlarging any one existing; and that, like other petty criminals, these should be dealt with by the local authorities, who are quite as likely to understand their individual peculiarities, and to manage them with good judgment, economy and humanity.

THE CLARKE INSTITUTION FOR DEAF MUTES.

In my last annual message I had the honor to recommend that provision be made for the instruction of the deaf mutes of the Commonwealth, within our limits, and to add my conviction that legislative action in this direction would develop rich sources of private beneficence. In response to this suggestion, the Legislature granted an Act of incorporation to the Clarke Institution for Deaf Mutes, located at Northampton, which was organized in July last, and was formally opened for the purposes of instruction on the first day of October.

My anticipations of private assistance were speedily realized; and to a venerable citizen of the Commonwealth, whose name the Institution most appropriately bears, it is indebted for the most liberal endowment ever made to a similar institution upon this continent. In coming years, when we shall have passed away, and our agency in this labor of love shall have been forgotten, successive generations of the silent restored to speech will articulate with gratitude the name of John Clarke, of Northampton, who, in faith, hope and charity, has devoted so large a portion of the accumulation of a life of honorable industry to a work of Christian philanthropy. I have no doubt

that other generous citizens of the Commonwealth will respond to this act of munificence, and that before many years shall have elapsed, no child of Massachusetts will be compelled to seek the means of instruction beyond her limits. In company with members of the Executive Council and several officers of the State, I have recently visited this school, which, in recognition of her self-sacrificing devotion to this class of unfortunates, has been intrusted to an enthusiastic and experienced teacher, Harriet B. Rogers.

Although the school had been in operation but a few weeks, the progress of the pupils was not only satisfactory in the highest degree, but excited the admiration of experienced instructors among the visitors. I have no hesitation in urging the Legislature to cherish it kindly; to remove gradually such restrictions in regard to age or continuance of study as a wise caution has at first thrown around them; and to assign to it such an increased proportion of the usual appropriation for deaf mutes as its growing numbers may require, beyond the income of its endowment. In view of the fact that it is an educational institution, and on that ground is intrusted to the supervision of the Board of Education, and because it

is the duty of the Commonwealth to furnish to all its children an education at the public expense, I suggest that future appropriations for its aid be drawn from the school fund of Massachusetts, to the end that compliance with a public right may not be accounted as public charity.

THE LAWS OF SETTLEMENT.

For some years past urgent representations have been made, not only by men of philanthropic instincts, but of practical knowledge and experience, that the Laws of Settlement of this Commonwealth are neither in accordance with the spirit of the age nor adapted to the present constitution of our society.

The right of settlement or legal residence seems to be based on the theory that contribution by an individual to the public wealth or welfare, and bearing for a specified period his proportion of the common burdens, should entitle himself, his family and posterity to public aid or support in the days of their disability. It is a species of mutual insurance interwoven in the social compact, and no disgrace can properly attach to the enjoyment of its benefits, unless the disability proceed from an unworthy cause. Our earliest

settlers brought with them from the mother country this familiar institution, and speedily provided for it in colonial and provincial laws. As in a new country interest and policy demanded the ready acquisition of all the rights of domicile and citizenship they ordained, as the condition of settlement in a town, at first three months' and afterward one year's residence of the individual without being "warned out" of its limits, or receiving public assistance during that period. And this settlement once gained in any town within the colony or province was never to be defeated or lost, save by the gaining of a new settlement in some other town in the same colony or province.

I am informed that, as early as 1639, provision was made for lawfully settling all poor and unsettled persons, and that the first instance of State pauperism, so called, mentioned in the history of Massachusetts occurred in the time of King Philip's war when the ruined and houseless inhabitants of the ravaged districts were distributed by the General Court for maintenance among other towns of the colony. So early did our forefathers initiate the principle which has nearly ever since pervaded the legislation of Massachusetts on this subject, and which, in my judgment, can be

extended yet farther with advantage,—that it is better that paupers should be chargeable upon towns than upon the State. But after the lapse of a hundred and fifty years, a denser and more varied population and the upheaving of ancient landmarks by the Revolutionary war induced a change, and nearly three-quarters of a century ago new and more stringent regulations were adopted; borrowed in the main from the English code, and constituting substantially our present system. The principal requisitions to settlement are now residence for ten successive years without receiving public aid, with the payment of all taxes assessed for State, county or town purposes for any five years during that time, or the residing upon one's own real estate for three successive years,—the party always being a citizen and of lawful age. These conditions might have been well suited to the needs of an agricultural and commercial population, secure in its own permanence. But the progress of manufactures among us has developed new and unforeseen relations towards our countrymen from other States, while Immigration has imposed new duties toward our brethren from other lands. Both classes, seeking homes among us, have added largely to our pro-

ductive energies and material wealth; but for both, the conditions of acquiring settlement are far too onerous. Compelled to follow the ebb and flow of the demand for labor, they can hardly maintain an uninterrupted residence of ten years in a single town; or, if perchance they accomplish it, some wary official will omit to assess them for the fifth time, or abate a tax with ready lenity. Large numbers are thus, in ignorance of their rights, deprived of the residence they are on the point of acquiring,—and after a sober and industrious life, in the infirmity of age, are given over to a State Almshouse. Meanwhile our permanent and settled population has been gradually and surely decreasing, its young men having removed southward and westward, and peopled new States from the loins of Massachusetts. And so far has this process advanced of rapid decrease and slow increase of settled residents that competent judges avow their conviction that already our settled population numbers less than one-half of the people of the State.

Thus we are steadily departing from the wise policy of our fathers,—by insisting on these rigid regulations, when the century that gave birth to them has passed away, and in declining to recognize the changed circumstances of a new era.

We are sundering localities. We are destroying the family relation, breaking up and dispersing households perhaps never to meet again. We are multiplying the number of juvenile offenders, whose disposal and management are already a problem that puzzles our wisest and most experienced men. We are depriving communities of labor, that should be as permanent and available as the natural laws of supply and demand will allow. We are aggregating our poor in huge institutions, intensifying every defect, and violating sanitary laws. We are destroying all their ambition, demoralizing and permanently pauperizing them. In short, we are infringing just principles of political economy and piling up a huge burden for the finances of the State.

Moved by these pressing representations of thoughtful, humane and experienced men, I was induced to give the subject such investigation as I was able, but soon discovered that a far-seeing and true-hearted man had trodden the path before me. In his last annual message Governor Andrew earnestly advised a revision of the laws of settlement and proposed specific additions. These, I regret to say, were with one exception defeated in Committee, on the ground that the present

statutes had been thoroughly adjudicated and that any change would give rise to embarrassing litigation. But I concur entirely with my predecessor that decisions and precedents and reverence for ancient forms of law must not stand in the way of sound political economy, humanity and morality. I have therefore the honor to renew most of his suggestions, with others which farther inquiry has developed, and bespeak for them your earnest consideration. It will be observed that these propositions point rather to an extension than an alteration of the present statutes, and are not likely to provoke any serious litigation.

1. Aliens, having completed all the other conditions of settlement, except the act of naturalization, shall enjoy the same privileges in that regard as the native born. If the theory is correct that service rendered should entitle to legal residence, no accidents of birth or color or race or sex should bar any from equal rights of acquisition and enjoyment. In limiting this privilege to citizens Massachusetts stands almost if not entirely alone among the States. This should no longer be permitted. In her justice and her charity she should recognize no frontiers but those of humanity itself.

2. A method should be provided whereby single women may gain a settlement. After useful and guileless lives of industry and self-sacrifice, we should not permit them in their advancing age and infirmity to be torn away from the friends and associations and homes of half a century, to linger out the remnant in a State Almshouse.

3. Cities and towns should be prohibited under penalty from sending to a State Almshouse, or otherwise charging upon the Commonwealth, any person whose paternal settlement is obscure, but who has a well known maternal settlement. I am assured by the officers of our charities that the rights of citizens, in this respect, are not sufficiently protected by the Statutes.

4. I recommend careful inquiry whether the prerequisite of ten years' continuous residence may not safely be reduced at least to the maximum of the neighboring States. Maine requires but five years' residence, New York but one, and, if my information is correct, the maximum of the others is seven. And further, I suggest whether assessors shall be permitted to prevent the acquisition of a settlement by omission to impose a tax, or abatement of any already laid. I cannot doubt

that a great amount of hardship will be averted by these two changes alone.

5. I earnestly recommend a thorough investigation of the expediency of encouraging the towns to assist at home worthy and industrious families which have no settlement, with a partial or full re-imbusement from the State, in the same manner and under the same supervision as that now adopted for the relief of the sick poor therein. It is clear to my apprehension that the grant of a little temporary aid, in the way of fuel or supplies, may save the maintenance of the entire household for months in a public institution.

6. And finally I have to call the attention of the Legislature to a remarkable anomaly, which requires their immediate interference for the protection of our own tax-payers. While our settled residents number only a few hundred thousand, we are yet, by our own laws, responsible for the support of all the descendants of every man and woman who has ever gained or derived a settlement within our limits, who must surely be counted by millions. No matter if centuries have elapsed since one of the family set foot on our soil, the obligation is still the same, and wherever they may be scattered over the face of the earth, their

sick, their insane, their defectives, their paupers may return to Massachusetts to be supported by the town of original settlement. And although they may have acquired a subsequent settlement in another State, in towns where they will be acknowledged and provided for, yet our own Statutes, as the Attorney-General informs us in a most elaborate and able treatise, forbid us to remove them except with their free consent. Two or three illustrations will suffice. One hundred years ago a resident of a small town in the county of Worcester whose political sentiments according to tradition were obnoxious to his fellow-citizens emigrated to a neighboring State, where he lived and died, and his descendants after him to the fourth generation, all having settlements in that State, and nearly all being owners of the soil. A few years since one of his great-grandsons returned to Massachusetts, became insane, and was sent to a Lunatic Hospital at a cost to the small town above named, whence his ancestor originated, of about twelve hundred dollars up to this time, and of two hundred dollars a year, in addition, as long as he may live. He cannot legally be returned to his own birthplace and the home of his fathers for four generations. About

1743 a family left a small town in the county of Bristol and gained settlements successively in three other New England States, never returning to reside in Massachusetts. One hundred and eighteen years afterward four idiot members of this family were returned to this State to be supported by the ancestral town at an expense of not less than six hundred dollars a year. A town in the county of Norfolk, by virtue of an ancestral settlement, is now compelled to support a lunatic who escaped a few months since from the Almshouse of his native city, where his legal residence is undisputed. It is just that our people should be relieved of these burdens, which no other State imposes on its citizens. And I therefore recommend the early adoption of a provision allowing such persons to be returned to the place of subsequent settlement.

Aware of my inability to treat, as it deserves, a subject so intricate and delicate, I trust that I have said enough to induce at least the initiation in this Legislature of a more liberal policy toward our industrial classes.

In view of the importance of friendly and harmonious legislation on immigration, pauperism and settlement throughout New England, I have

authorized the officers of our charities to confer with the Executives or Legislatures of the other States, and to take measures, if possible, to secure it. New Hampshire has already responded by Resolution of her Legislature, and I should be gratified if our own would formally sanction the individual action of her Executive authorities.

THE MILITIA.

The number of men present at the last fall encampments of the Volunteer militia was five thousand seven hundred and fifty-three; an increase from the attendance in the previous year of nearly seven hundred. It is my opportunity and pleasure to assure you, from my personal observation, that the appearance and service of the force during the five days of camp duty were in the highest degree creditable. One-third of the present number of enrolled men have served the United States in the recent war, and their cheerful enlistment into our volunteer companies entitles them to the grateful appreciation of all citizens. The laws relating to our military system, as they stand since the amendments made by the last Legislature, work apparently well, and no essential revision appears to be necessary.

The change of the period of camp service, from three days to five, has in the single experiment made under it manifested most satisfactory results. Upon a recent occasion of popular demonstration towards a distinguished officer of the army of the United States, Major General Sheridan, nearly five thousand of these men, of their own volition and without pay, performed the duty of escort; and I do not speak with language of extravagance in saying that never before has the militia of Massachusetts, by a thoroughness of discipline and practice, and an entire absence of ostentation, so well justified to every observer the expenditure necessary to maintain this organization for our protection and defence.

The number of companies which now constitute this arm of the public service comprises ninety-two of Infantry, six of Cavalry, and four of Artillery. The amount expended for military bounties and for armories has been nearly ten thousand dollars below the appropriations made by the last General Court.

The annual cost of maintaining such a force as the present, under existing laws, is not far from one hundred and fifty thousand dollars. However large this sum may appear, it is my deliberate

judgment, formed in the light of the lessons of experience, and with a full knowledge of the present admirable condition of the force, that no item of public expenditure is better justified than this. I challenge comparison from all the States of an equal amount expended and an equal array of results accomplished.

The public stores in the arsenal at Cambridge are now in excellent condition, and it will be the pleasure of the patriotic officer in charge to exhibit the buildings and military material at any time to the members of the General Court.

TROY AND GREENFIELD RAILROAD AND HOOSAC TUNNEL.

In my communication to the Legislature one year ago I stated that under direction of Chapter two hundred and ninety-three of the Acts of 1866 the construction of the railroad between Greenfield and the Tunnel had been contracted for, and that a lease of the same had been executed under the approval of the Executive Council. The road has now been completed as far as Shelburne Falls, a distance of thirteen miles, and the corporations, lessees, have commenced the running of regular trains. It was formally opened two months ago, and the great

attendance of people, and the deep interest manifested by them in the first advent of the locomotive into the valley of the Deerfield, afforded striking proof of the value fixed by the whole population of the North-Western portion of the State upon their new connection with general commerce. The remaining portion of the line, extending from the Falls to the mountain, seventeen miles in length, will be finished in the next summer, and will constitute the completion of a road of thirty miles, built at a fair cost and holding a strong relation to the interests of the whole public.

The progress of the work upon the Tunnel itself, though prosecuted at some points under adverse circumstances, has as a whole been highly encouraging for the future. During the year a contract was made with three experienced men for work on the Central Shaft and the East End, but after a sufficient trial it appeared that the parties would be unable to execute it, and the relinquishment of the contract was accepted by the Governor and Council and operations at those points were resumed by the State.

The prosecution of the work at the Central Shaft was arrested in October by the destruction of the buildings and machinery by fire, which was also

attended by a lamentable loss of human life. Measures have been commenced for the earliest replacement of the fixtures, and for the continuance of that excavation. Notwithstanding this and other drawbacks, there was at this point in a period of twelve months an increase of progress over the preceding, of seventy-six feet.

At the West End, which, under a policy initiated by Mr. Brooks, the former chairman of the Commissioners, has been worked upon the contract system for nearly a year and a half by the very efficient contractor, there has been a good advance and reasonable success. The original contract has been repeated upon terms more favorable to the State, and its execution promises every anticipated result.

At the West Shaft, upon the two linear headings, there has been a decrease of advance, compared with the corresponding months of the previous year, of one hundred and twelve feet. This loss has come from the great influx of water without a pumping capacity to dispose of it. A policy, in this particular, intended for economy, has in my judgment been found to be erroneous, and I cannot doubt that it would have been a true economy to have provided one year ago at a greater expense

for larger and more efficient pumps. But the knowledge of present difficulties has now prepared the Commissioners to meet them with a proper application of power to overcome them. The obstacle of water can be and will be overcome, and a rate of advance corresponding to the prosperous results realized at the East End may be expected.

At the East End the linear advance has been within the year one thousand and fifty-one feet, showing an increase over the previous year of four hundred and fifty-nine feet. The drills have proved an entire success, and this class of machines will be soon introduced into the West Shaft, where they should accomplish similar results.

The Report of the Commissioners and that of the consulting Engineer will be transmitted to the Legislature at an early day. The consulting Engineer, Mr. Benjamin H. Latrobe, has, during the year, visited the Tunnel of the Alps, and has presented in his report a variety of facts learned there which will be found to possess much interest. That great work has now proceeded nearly twenty-five thousand linear feet, leaving fifteen thousand yet to be accomplished. That enterprise, like our own, was beset with many difficulties in its earlier stages; but by a constantly accelerating

progress from year to year, it has attained a result of nearly four thousand feet in the nine months preceding last October. After weighing carefully all the unfavorable as well as the favorable circumstances which surround our own work, it is my firm belief that a similar acceleration may be expected here; and that this undertaking can be finished within the time and cost estimated by Mr. Latrobe in his report for 1866, which will be found stated in my last address to the two Houses.

AGRICULTURE—THE AGRICULTURAL COLLEGE.

The success of farm labor has been signal, notwithstanding the adverse character of the seasons. The display of stock and products at the public fairs in the autumn was gratifying, and the number of people who gave attendance was without parallel in the past years. It is manifest that while the pursuits of trade and the practical arts obey tendencies to centralization in the cities and large towns, yet of the population thus massed together for business a proportion constantly increasing choose homes in the country with the attractions of rural life. Such expend much of their time, their capital, and their faculties upon

experimental agriculture and horticulture. The influence of this has been already perceived in the improvement of the quality of stock, and in a larger development of the productive capacity of our soil. Simultaneously, and not less beneficent, has been the effect of this change in the modes of life of a large and influential class of citizens upon the character of our whole population, creating ties of common interest and sympathy between classes hitherto in many respects widely differing; displacing jealousies by the substitution of good will, and extending harmony through the social and industrial relations of all.

The last General Court added four to the number of incorporated agricultural Societies, making twenty-nine in all. It may well be doubted whether of these there are not now quite enough for their own efficiency and for the public finances. Many of these bodies are already well supplied with means, and scarcely need the aid of bounty from the treasury. I suggest for your consideration, whether a reduction in the amount of the bounties might not wisely be effected by encouraging one-half of the societies in alternate years, and by limiting the patronage of the State to

biennial exhibitions instead of annual. Doubtless annual shows would still continue to be held.

The annual report of the Massachusetts Agricultural College will in due time be submitted to the General Court. This institution was established by the Legislature of 1863, upon the foundation of the grant by Congress of three hundred and sixty thousand acres of the public lands. The proceeds of the sale of one-tenth of these were allowed for the purchase of a farm, and two-thirds of the income of the fund obtained by the sale of the remaining nine-tenths was given to the College as an endowment. So far as I am informed, our own is the only State which has applied the gift from Congress to the purposes of education explicitly and wholly in the interest of agriculture. In October last the institution established in the town of Amherst was opened for the reception of pupils, who already number forty-seven, comparing favorably in every respect with the classes in the other colleges of the State. It has been the policy of the trustees to apply the sum of seventy-five thousand dollars, pledged by the town of Amherst, to the erection of buildings requisite to carry out the experiment; and such buildings have been completed and are now used

to their full capacity by the first class that has entered. A plant house has been constructed upon a liberal scale, at a cost of ten thousand dollars, given for that purpose by Mr. Nathan Durfee, a public spirited citizen of Fall River. The whole sum already invested in the College is \$275,000. A detailed statement of the plans of study and management of the institution, the operations upon the farm, and the general success thus far of a system of agricultural education which combines theory and practice, will be found in the report of the Trustees.

I am aware that this whole enterprise is in its beginning regarded by many with that kind of incredulity which is too apt to disparage all great experiments; but the College has been established by the Commonwealth, and the magnitude of the amount invested, the public demand for more liberal training of those who will devote themselves to this too long neglected class of industrial pursuits, and the demonstrated tendency of every school of learning in the interest of practical labor to increase the wealth and improve the character of the people, call for the exercise of a large patience and liberality in awaiting and judging the results. The well approved character of the president and

other officers of the institution is a guaranty that the experiment will not fail for want of zeal or ability in its friends.

BANKS FOR SAVINGS.

I have been greatly impressed by the results returned to me by the Commissioner of the Institutions for Savings. It appears that in October last the amount of deposits in one hundred and eight savings institutions was more than eighty millions of dollars, \$80,431,583.71; with a surplus of earnings on hand of \$3,172,877.01; making an aggregate of \$83,604,460.72. Of this sum five-eighths have accumulated within the last ten years. This amount exceeds the paid-in capital of all the National banks in Massachusetts by more than three and a half millions of dollars. The increase of deposits during the year has been \$12,699,319.40 against an increase of \$7,795,781.79 in the previous year. The cause of this extraordinary increase may in part be found in the facts, that these institutions have very generally raised their ordinary rate of interest, and that they have paid large extra dividends during the past three years, which they have been enabled to make by reason of their income from National Bank stocks, (one-eighth

of which in this Commonwealth they own,) and from interest and premiums upon United States and State securities.

I shall not venture to indulge in conjectures or speculations concerning the future prospects of these institutions, in the present unsettled condition of the financial policy of the federal government. One thing is quite evident; that however others may reason about the national securities and the national credit, there are in Massachusetts three hundred forty-eight thousand five hundred and ninety-three persons, depositors in the banks of savings, who are by that relation the owners of thirty millions of federal bonds and eleven millions of national bank stocks, which is one-half of the whole of their deposits, and to whom it is of vital importance that the government of the United States should keep good faith with its creditors.

Under the operation of the law relating to the rate of interest, enacted by the last General Court, the savings banks almost without exception have charged seven per cent. upon their loans; and this practice appears to have been entirely satisfactory to borrowers. One result which I commend to the attention of our citizens is expressed by the fact that five millions [5,000,000] have recently been

loaned by these institutions upon the security of mortgages of real estate. I hear from many parts of the Commonwealth that there is a drift of opinion in favor of extending the line of loans in this direction; and in my judgment this must be received as one but not an inconsiderable proof of the practical benefits of this change of the laws of usury.

THE INLAND FISHERIES.

I invite your favorable attention to the very interesting report of the commissioners on fisheries. The Lowell and Lawrence fishways were opened last spring with such success that during the summer both salmon and shad were taken near Nashua in New Hampshire, for the first time since 1849. Since their completion, that State, having made successful experiments with spawn, and taken measures to restock the Merrimack with salmon, awaits only the construction of fishways over our mill-dams on the Connecticut, to stock that river also. By the report of the commissioners it appears that the proprietors of the dams at Hadley's and Turner's Falls on the Connecticut, withhold, or positively refuse, that co-operation which the mill-owners of Lawrence and Lowell were glad to

afford. I ask your consideration whether it is not possible to overcome by legislation the difficulties which the commissioners recite, arising from the indifference or opposition of the proprietors at Hadley's Falls. The movement to restock the New England rivers with useful fish is one in which all the New England States, except Rhode Island, are engaged, through commissioners who have associated themselves informally into one common board in order to insure harmony of action. In respect to the Merrimack and the Connecticut, its success depends on harmony of legislation between the States traversed by those rivers. Having pledged ourselves to Vermont, New Hampshire and Connecticut, to co-operate with them for this common object, I cannot but think that those States will have reasonable cause of complaint if we shall neglect to remedy the obstacles on the Connecticut River for which we, as a State, are in part responsible by having incorporated the proprietors who have built the dams; and if, after consideration it shall seem to you to be impracticable or injudicious to require them to remedy at their own cost the damage to the fisheries which the dams are causing, then I see no other course than to construct a fishway at Hadley's Falls at the

expense of the Commonwealth according to the estimate of the commissioners. The State of Connecticut has passed an act prohibiting the taking of shad in the Connecticut River at any season of the year except during the three months following March 15, and prohibiting the taking of salmon there absolutely until March 15, 1872; but on the condition that Massachusetts, at the present session of the General Court, shall prescribe the same limitations on the taking of those fish in that part of the river which lies within our territory. I cordially advise concurrence in this legislation.

I commend to especial attention those portions of the commissioners' report relating to the artificial propagation of fish, and to the experiments of Mr. Seth Green, at Holyoke, which it treats with great earnestness. The subject is one not of mere scientific interest, but of great practical importance to all classes of our people by its bearing on the prices and supply of food. If the results attained by Mr. Green, of increasing the production of fish seventy-fold by artificial breeding are capable of general repetition, it opens a new and very important field of productive industry, of the value of which the commissioners afford significant indications by reference to the value of the inland fish-

eries of Scotland, Ireland and Wales. In 1863, those countries, with an area about equal to New England, furnished to the London market alone 3,712,016 pounds of salmon, worth more than a million dollars; the fishing-rental of the river Tay alone for 1864 was \$75,000 gold; and these results, considerable though they may appear, have been greatly surpassed in later years during which the artificial breeding of fish has been more extensively and intelligently prosecuted.

STATE AGENCY AT WASHINGTON.

I beg to recommend the renewal of an appropriation for the support of the State agency at Washington. The past year has been the first, since the agency was established, during which Massachusetts has had no troops in service in the field; but with the close of the war arose a large business in the prosecution of our soldiers' claims for bounties, pensions, and arrears of pay, and in the investigations necessary to correct and certify the military records of the adjutant-general's office, which has kept the agency constantly and usefully employed. On December 1, 1866, it had in its charge 2,316 unsettled claims of our soldiers. During the year which ended December 1, 1867,

2,697 additional claims were prosecuted by it, almost all of them being received through the office of the Surgeon-General of the State; and 1,879 claims were finally settled, on which there were collected from the United States for the claimants \$203,458.41. The number of unsettled claims now in its charge is therefore more than three thousand. During the past year it has also ascertained and certified for the records of the adjutant-general's office the military history of 3,719 men. The total of its expenses for the year has been less than seventy-five hundred dollars. I am satisfied that among all the benevolent expenditures of the State, none is productive of more good at less cost. The amount of money which the agency has saved to poor families of soldiers, who otherwise would have been preyed upon by dishonest claim-agents, exceeds many times the expense of its support, to say nothing of the ease of mind it affords to such poor people by the consciousness that their affairs are in the hands of officers of approved character, responsible to the Commonwealth for their conduct. In other ways also the experience of our State agent at Washington has been availed of, especially in regard to the preparation and settlement of the claims of Massachusetts

on the general government for re-imbusement of military outlays, to which I have alluded elsewhere. The time, doubtless, is not far distant, when the agency may be discontinued; but for the present, I am persuaded that its continuance is needful. I refer you to the report of the Surgeon-General for an account in detail of its business and expenses.

THE PAYMASTER AND BOUNTIES.

At the commencement of the present year I directed the Paymaster's department to be finally discontinued, believing that the payment of any bounties subject to call may reasonably be conducted through the permanent departments of the government; at the same time employing a single person to complete the records of that office which will be absolutely essential in years to come.

Of the bounties still purporting to be due and uncalled for, a large portion date back two, three, four or more years. Considering the extensive desertions in the last years of the war in connection with the bounty system, and bounty brokerage in its various modes of fraud, it may be reasonably assumed that in a great number of cases those who might have claimed these bounties uncalled for, were deserters, knowing that they have forfeited

the allowance to which actual service would have entitled them. In the last two years many instances have occurred of claimants and others ascertaining the names of soldiers having sums of money standing to their credit on the rolls, and then manufacturing evidence upon which to secure the payment of the same. In some cases, when rejected by the Executive, these have been urged upon the Legislature, generally without success. You will permit me to suggest a close scrutiny of any such claims which may be presented during the present session. Desiring to do substantial justice to the soldiers and to the treasury, I have directed the Paymaster to turn over to the Adjutant-General for revision all bounty rolls in his possession which accrued under the jurisdiction of the provost-marshals, all other rolls having been previously transferred for the same purpose. I have also requested the Treasurer to furnish to the Adjutant-General for that purpose a descriptive list of all to whom full or monthly bounties still appear to be due on his unpaid rolls, and not himself to make further payment of the same unless duly certified on new and properly approved rolls. This course will unquestionably

accomplish justice to all, and will legitimately close up what remains of this great account.

THE HARBOR OF BOSTON.

Much has been done and still more proposed during the past year for the benefit of Boston Harbor. Immediately after the appointment of the Harbor Commissioners in 1866, they caused surveys to be made by their engineer, Mr. Albert Boschke, to ascertain what ought to be done for the protection and improvement of the lower harbor. These surveys were made with great care. Mr. Boschke's estimate of the expense of the necessary works amounted in the aggregate to something more than a million dollars. The plan of the whole work was approved by Major-General A. A. Humphreys, Chief Engineer of the United States Army, and recommended by the Secretary of War.

At the final session of the last Congress the Harbor Commissioners presented a petition for an appropriation to protect and improve the outer harbor. The necessity of the aid sought being apparent, Congress granted an appropriation of three hundred and seventy-five thousand dollars for the "preservation and improvements of Boston

Harbor.” This grant of Congress has enabled Major-General Benham to continue the construction of the sea-wall on the Great Brewster, which, it is hoped, will prevent further waste of the island and further extension of the Spit.

Other works, under the skilful superintendence of Major-General J. G. Foster, which will be of the greatest benefit to the lower harbor, have been ingeniously and successfully prosecuted. Two rocks,—known as Tower Rock and Corwin Rock,—very dangerous to ships of great draft, lay in a narrow part of the main ship channel. The entire removal of the Tower Rock to a depth of more than twenty-three feet below low-water, and the partial destruction of the Corwin Rock, have been already effected. The deepening and widening of the main ship channel in another narrow part, by cutting off a portion of Lovell’s Island, has also been begun under the charge of the same able officer, and will, together with the destruction of the Corwin Rock as far as necessary, be finished, it is believed, in the ensuing season. For the details of these and other interesting operations, begun and planned to protect and improve the lower harbor, I refer to the Harbor Commissioners’ Report. I congratulate the

Commonwealth on having secured the co-operation of the United States to such an extent in aid of our navigation.

For the continuation of these important operations, the Secretary of War has recommended to the present Congress an appropriation of \$287,000. There is every reason to hope that the work so well begun will be consummated by the United States, as I am sure we have a right to expect.

Good progress has been made in establishing the basis upon which the projected improvement of the South Boston Flats shall be made. In the year 1866, the Legislature adopted a plan for the improvement of these flats, the execution of which in its essential features would involve a very considerable extension of the wharves on the Boston side of Fort Point Channel, and a filling up of the flats on the south side of the channel, after enclosing them by a sea-wall which would be available in the construction of wharves and docks bordering on the deep water of the harbor. But occupation of the flats in this manner was believed to involve, also, the necessity of large and very expensive excavations in Charles and Mystic Rivers, the most effective tidal reservoirs of Boston Harbor, to compensate for the water displaced by the pro-

posed filling, and so to preserve the scouring force of the tide. It was feared, if this system of compensation was an inseparable part of the plan, that all the profits to the Commonwealth aside from the improvement itself, would be swallowed up in the necessary measures for preventing the injuries that must result to the harbor from the displacement of so much tide-water. Fortunately, however, for the immediate pecuniary success of this great enterprise, new investigations have been made and a conclusion has been reached, having the high sanction of distinguished scientific men, that an equivalent for compensation for tide-water displaced, much cheaper than compensation in kind can be obtained, 1. By dredging certain portions of the main channel of the harbor to the depth of twenty-three feet below mean low-water and using the material so dredged to fill up the South Boston Flats which lie in close proximity; 2. By the guarantee of the Commonwealth to defray out of the profits of the enterprise the expense of annually removing by dredging such accumulations in the channel as may take place. The income of half a million of dollars it is thought will be sufficient for the complete protection of the harbor, and should such a sum be set

aside by the Commonwealth for this object there will undoubtedly still remain a larger surplus of pecuniary profit accruing to the State. For the purpose of making this improvement the Legislature of the past year authorized the Harbor Commissioners to contract for the construction of a continuous sea-wall on the south side of Fort Point Channel on a line parallel with the line as laid down upon the plan adopted by the General Court. They also provided for the appointment of an engineer who should determine the line of the wall and prepare the plan and specifications for building it. Two hundred thousand dollars were appropriated for the work. By the provisions of the law the location of the line of the wall by the engineer, his plans and specifications, and the contract for the work to be executed by the board of Harbor Commissioners, were all made subject to the approval of the Governor and Council; while the construction of the work was placed in charge of the engineer under the direction of the board. Under this Act I appointed Mr. George R. Baldwin, an engineer of experience in this kind of work. The Commissioners were also authorized to change the lines of Fort Point Channel as laid down on the legis-

lative plan of 1866, in order that, by conveying the channel nearer the Boston side, the requisite extension of wharves might be reduced to the lowest amount and the area of improved flats on the other side of the channel enlarged. This change in the line the Commissioners have made.

After considerable discussion before the Executive Council I have approved a line for the wall running fifty feet inside of the outer line of the legislative plan of 1866, and parallel with it,—a space of about fifty feet width being reserved for the construction of platforms at the ends of the wharves that will be built upon this improved land. My reason for approving this line is that the intention of the Legislature, derived from the construction of the statute under which the Executive was to act as well as from the explicit testimony of the members of the Legislature who framed the law, seemed to be that the wall should be built on or near the line approved. If, however, the wall is to be built upon this line the cost will be very much larger than the \$200,000 appropriated for its construction, and the Legislature will be obliged to increase the appropriation, or give to the board of Harbor Commissioners, who are charged with the duty of building

this wall, authority to pay for it in land which shall be filled in.

Moreover, in order to make this wall and improved territory available for commercial purposes, the Commissioners should have authority to build, not a continuous wall, but a wall which shall serve as the outer wall of wharves, separated by docks, whenever they may be wanted along the deep water front of the land improved. It is also to be borne in mind that it is important for the security of Boston Harbor that the extension of the wharves on the Boston side of Fort Point Channel should be secured during the progress of these works.

I have thought it advisable not to approve any contracts before the meeting of the Legislature, but to lay the whole matter before you, that you may give the requisite authority to the board having the construction of the wall in charge, for building it in such a manner that it may be available for commerce and of value to the State, and that the means may be provided for paying for it at the cost at which it must be built, either by further appropriation or in land to be created by this improvement.

CAPE COD HARBOR.

By chapter eighty-six of the Resolves of 1867 a sum not exceeding one hundred thousand dollars was allowed and appropriated to the protection and preservation of the Harbor at Provincetown, to be expended by Commissioners upon plans approved by the Governor and Council. At an early day the Commissioners provided by the Resolve were appointed and they have since industriously attended to the grave duty assigned to them. Quite recently their report, with plans and models, has been submitted, and it will be transmitted to you for information and for such further action as in your wisdom may seem proper. The eminent engineer who has made the necessary surveys and whose judgment upon the subject is embodied in the report, has now retired from the commission; but his presence as a member of the House of Representatives will enable the Legislature to become familiar with the exigencies of the case. The report presents the urgent necessity of immediate action by somebody, either on the part of the State or the Federal government, for protecting this harbor from the rapid wearing of the sea. I have been constrained to decline any action upon the plans reported, because the estimates of the

cost of the work, if carried out in the manner recommended by the Commissioners, exceed by fifty thousand dollars the amount allowed by the Resolve. You will permit me to invite your early attention to the subject; for if the State is to prosecute the undertaking it will be essential, both for the object itself and for economy in attaining it, that contracts for material may be made during the present season.

THE PROHIBITORY LAW.

In a free Commonwealth the will of the people must be acknowledged, respected and obeyed as the supreme law of the land. After ample consideration and free discussion, they have expressed at the ballot box their emphatic disapproval of the prohibitory law, so called, with its present penalties and methods of enforcement. Precisely what policy shall be adopted in its stead they have not so distinctly intimated. But it is to be supposed that the representatives of their own selection, fresh from the popular assemblies, have been made fully aware of the sentiments and desires of their immediate constituents.

Under these circumstances, it would be presumptuous in me; however decided my convic-

tions, to propose and maintain a policy which might conflict with the expressed pleasure of the people.

In response to an order of inquiry addressed to me by the House of Representatives of 1867, I had the honor to state that "It is not for the chief executive magistrate to assume at his discretion, in one instance to enforce, and in another instance to suspend, existing laws. For this would be virtually to exercise legislative power;" and further, that "if laws which are deemed unwise are found upon the statute book, they must nevertheless be enforced impartially and faithfully by all the officers of the government, until amended or repealed by the Legislature, with whom alone rests the power of making and repealing the laws." By the principles expressed in that communication I propose steadfastly to abide; and accordingly I respectfully refer this whole question, so momentous in its relations, and so interesting to the people, to the careful deliberation and wise judgment of their representatives in the General Court.

I must, however, be permitted to record my deliberate conviction that the moral and religious sentiment of our community will not tolerate the

absence of all legislative provisions regarding the traffic in intoxicating drinks, but demands its restraint, regulation, control, by positive enactment. And further, that no statute will command the respect and permanent support of the people of Massachusetts, which shall conflict with the paramount claims of industry, sobriety and good order, or be inconsistent with their reputation as an intelligent and Christian Commonwealth.

THE STATE CONSTABULARY.

I shall have the honor to transmit to the Legislature the Report of Major Edward J. Jones, the Constable of the Commonwealth, (a conscientious and efficient officer, who has my confidence,) with the accompanying statistics exhibiting in detail the operations of his force for the past year.

As a magistrate, responsible for the administration of the laws, I cannot pass by in silence this record of faithful service rendered in the execution of an enactment the justice and expediency of which are questioned by so many citizens of intelligence and probity.

The great majority of the Constabulary is composed of veterans of the Army and Navy, many of them disabled in the service of the country and all

of them presenting an honorable military record. They have been inured by martial discipline to unquestioning obedience to orders, whether in fulfilling the duties of the camp, or facing the dangers of the field. Hence, doubtless, they have performed the duties assigned them with an exactness and a stringency novel to citizens unfamiliar with military methods and unused to summary proceedings. But it must be remembered that whether in carrying out the specialties of a particular law, or in encountering the desperate burglar or midnight assassin, or in threading as detectives the intricacies of crime, they have for the most part displayed coolness, alacrity and skill. Then, "since we punish not the sword itself, the instrument of the law," it is unjust that obloquy should fall on those who have discharged their disagreeable and often painful duties with courage and discretion. It is also unjust that they should suffer in the public esteem by reason of the incapacity, infidelity, or rashness of a few, whose counterparts are to be found in all similar bodies, and who were introduced to the Constabulary by the efforts of eminent men both among the friends and opponents of the policy they were expected to enforce. That I should say this much, is due not only to

meritorious men, faithful to a public trust under reproach and contumely, but also to the cause of law and order, which must be sustained and vindicated in its dignity and integrity by the support of its administrative officers.

It is well known that my lamented predecessor, when called upon to interpose the power of the Commonwealth in an exigency affecting the right of free speech in the City of Boston, found himself without any civil force whatsoever for the maintenance of public order. In his last special message to the Legislature he took occasion to use the following language in relation to the Constabulary: "I should be unfaithful to the people of Massachusetts, if I omitted to declare the opinion, resulting from five years' experience in executive affairs, that the maintenance of such a civil force, directly responsible to the chief executive magistrate, is of high importance, and will yet prove essential to the Commonwealth. This opinion has no especial connection with any class of legislative enactments. All the laws may be altered or repealed the infractions of which led to this establishment, yet still it would be needful, unless it is deemed best to leave the chief magistrate without power to execute the laws." These words of advice, emanating from the

clear head and true heart of him who has left us, will doubtless have their due weight with the people of the State and with their representatives; and it will be for your wisdom to determine whether the minimum of this force, as fixed by the original Act establishing it, shall not be retained to aid in the preservation of the public peace and to carry out with efficiency such provisions of law, if any, as you may choose to substitute for those now existing.

NATURAL HISTORY.

Under the provisions of Chapter thirty-two of the Resolves of 1867, I appointed Mr. William G. Binney, one of the best of American naturalists, to edit and arrange the republication of the Report on the Invertebrate Animals of Massachusetts, which had been before authorized by Chapter forty-four of the Resolves of 1865; a work which had been left unfinished by the death of the late Dr. A. A. Gould. No compensation is asked or expected for this important labor. The appropriation of \$4,000 made by Chapter two hundred and eighty-two of the Acts of 1865 was re-affirmed by the Resolve of 1867, and it was provided that the work should be done as nearly as possible in

accordance with the plans and views of the original author.

Mr. Binney, who was appointed with the full concurrence of the representatives of Dr. Gould, has entered upon his duties and made informal reports of his progress, from which it appears that an additional appropriation of \$4,000 will be necessary to bring out the work in a style creditable to the State and uniform with the other works of a similar character which we have published and which have helped to give to this Commonwealth a reputation for liberal culture in other countries. This additional cost results in part from the fact that the original estimates were made some years ago, when everything connected with book-making was much cheaper than now; in part from the fact that the present editor has been able to procure many additional drawings for illustrations which should be included in the work; and somewhat from the fact that the original copperplates on which Mr. Gould depended, cannot be found, although every effort has been made to discover them, and which, unless soon discovered, it will be necessary to replace. If they shall be found the whole of this additional \$4,000 will not be required. I also respectfully suggest further leg-

islation relative to the distribution of the books when published.

THE STATE HOUSE.

The Legislature of the last year provided for a thorough change in the condition of this building, and for additional and more commodious rooms for the committees of its two branches. Improvements had long been needful to the health and comfort of the members of the Legislature and of the various officers and clerks who pass here the business hours of every year. By an inadvertence, the main outlay necessary to the prosecution of the work was not provided for in any bill of appropriation; but the commissioners rightly judged it to be their duty to proceed at once with the undertaking, relying on the present General Court to appropriate the money. The President of the Senate and the Speaker of the House of Representatives were invested with full powers to direct and carry on the whole work. The late day of the final adjournment of the Legislature postponed the commencement of active operations till July; and consequently the progress which has been made, which I am sure must satisfy if it does

not surprise us, has been accomplished within the brief period of six months.

Of the assiduity and fidelity with which the commissioners have performed their duty, it has been my own opportunity to be a daily witness, and it is my pleasure to make public mention of it upon this occasion. The President of the Senate, the Honorable Joseph A. Pond, was suddenly removed by death in October last. The Speaker of the House of Representatives, the Honorable James M. Stone, has therefore been obliged to discharge alone the difficult and responsible task of the commission. I think you will concur with me that he has performed these functions with extraordinary success, and I am confident that no better officer could have been intrusted with the completion of the entire work and the settlement with all the contractors. The State House, thus changed to the great benefit of the public, may reasonably be expected to satisfy the essential wants of the present generation, with only inconsiderable additional expense to repair damages by weather and time.

THE NATION.

The close of the conflict for national unity finds the country perplexed by questions of finance, and confused by the uncertainties of the future. In these embarrassments the people of this Commonwealth, from the wide extent of their commercial relations, inevitably share. But the great principles of civil liberty transplanted to her soil, cherished through the lapse of centuries, and ever maintained by the treasure and the blood of her sons, have been vindicated in the contest. As then, faithful to her traditions, she was the first to assert their supremacy on hostile soil, so may she, as a Christian Commonwealth, be the first to recognize the new duties of a conquered peace. Suffering severely as they must from the waste and material loss of the conflict, her people cannot forget that the work of the warrior is done, and that the duties of the statesman have begun. I am sure that they will agree with me that no word is to be retracted, no principle compromised. But I am equally sure that they will remember that it is of vital import to our citizens that the waste of war should be repaired, that our productive energies should be fully employed,—every spindle set in motion, every laborer supplied with work. I am

confident, too, that in accordance with the teachings of their pious fathers, while fidelity to freedom forbids them to forget, they will admit their duty to forgive, and that magnanimity to the defeated is not necessarily compromise of principle.

We have destroyed involuntary servitude. We have manumitted a race of men and conceded to them equality of civil and political rights. In the exercise of these rights in the proceedings of the conventions in the Southern States, which they have mainly controlled, I believe that, after making due allowances, they have displayed a praiseworthy moderation. It is a sacred duty to insure them protection in the enjoyment of the rights we have guaranteed. But we must also remember that there are millions of the white race who cannot and must not always be retained in the position of abject foes; millions whose productive labor is necessary for the discharge of national obligations which must never be repudiated, and whose good will and co-operation are essential to a complete and thorough re-union. Let us then hear no more of confiscation and attainder for the Southern masses. Let us make an end of illiberal and unfriendly legislation, and while compromising no principle for which we have contended let

us restore those lately in rebellion to equality of rights as speedily as is consistent with the national safety.

The present obstacles to re-construction must come to a speedy end, whether interposed by unrepentant rebels, by a President who does not make treason odious, or by those whom his policy has deluded into renewed resistance. The welfare and the will of the people require it. They demand peace; peace from turmoil of mind, as well as from turmoil of war; peace for their finances, for their industry, for their commerce; and, having the determination and the power, there is no mistaking the agency by which they intend to enforce it. If embittered men refuse to accept the boon that is proffered, the responsibility, the shame and the ruinous consequences will be theirs alone. If they are so blind to their own interests as to incite hostility between races, they will find that the nation is strong; that the nation will maintain its guarantees. No rights of loyal men will be surrendered to effect any settlement whatsoever. Equality of rights and universal suffrage are irreversible facts. The wheels of revolution do not roll backward. In the march of civilization and

democratic ideas, this nation takes no backward step.

ULYSSES S. GRANT.

It is the record of history that in great public crises the instinct of a nation points with unerring sagacity to some man of the people whom they adopt at once, in assurance of faith, as their chosen champion and deliverer; and by a natural law this abiding confidence is through its own soothing power the surest guaranty of success.

In this dark hour of national exigency we have need of a leader whose integrity is uncorrupted by political associations and whose patriotism has not permitted him to descend to the arena of partisan warfare; of a tried leader of undaunted courage, who will be swayed neither by popular passion nor sectional prejudice; of a man of cautious reticence, who has no inconsistencies to explain, no policies to maintain, no theories to promulgate; of a leader who comprehends the position and relations of all sections of our common country, and who will bring to the administration of public affairs executive ability, economical ideas, a clear head and an honest heart.

It is manifest that it is the same Providence which brought us safely through the storm of war, that

moves this whole people now with singular unanimity to recognize in a plain, unpretending citizen him whose energy, discretion and exalted patriotism will restore peace and prosperity to discordant States and a distracted land. The man for the crisis—the man for the hour—the man of the people—is ULYSSES S. GRANT. Before his pre-eminent fitness for the high office to which a grateful nation would elevate him, let personal preferences yield, let faction subside, that peace, good will and union may once more and forever abide throughout the Republic !

JOHN ALBION ANDREW.

Within a few weeks past the people have been deeply affected by the death of JOHN ALBION ANDREW. His remarkable abilities, his political and professional eminence, his protracted and arduous service in a high public trust during a period of unprecedented difficulties, have caused his death to be universally lamented and have earned for him an enduring place in our history. His honesty and courage, his sagacity and simplicity, his kindness and frankness, his fidelity to friends and generosity to all, the purity of his life and the patriotism of his principles, have

already surrounded his name and memory with testimonials of respect and affection such as are rarely witnessed. The records of the Executive Department of this Commonwealth will bear perpetual testimony to his labors. So great and various duties as fell to him have not happened to any chief magistrate before, and could not have come to any other more safely than to him. In the performance of duty, nothing moved him ; he marched directly forward upon the road where that called him. He was "clear in his great office."

But for myself, his breadth, and scope, and genius for public affairs, do not so much affect me on this occasion, as do the personal memories of the hour. It was my fortune, in another office of the State, to be associated with him during the entire term of his administration ; to have constant opportunities to observe his methods of faithful service ; to witness the play of those private qualities which underlie the official service of a public man ; and which, if he be just and generous and great, reach beyond everything contained in his published record. For these, above all things else, it is my pleasure to remember him ; a contemporary in years and fellowship ; stricken

down when, if he might have lived, higher honors were awaiting him ; but dying in the maturity of fame, and leaving to those who best knew him the recollection of one who was not greater in results than he was youthful and ingenuous in heart, when death overtook him in mid career.

——“Fair example of untainted youth,
Of modest wisdom, and pacific truth ;
Just of his word, in every thought sincere,
Who knew no wish but what the world might hear ;
Of softest manners, unaffected mind,
Lover of peace, and friend of human kind.”

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